IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

TUESDAY, THE 17TH APRIL 2007 / 27TH CHAITHRA 1929

WP(C).No. 12855 of 2007(E)

PETITIONER:

ISSAC V.PAUL, S/O.POULOSE,
VADAKE KARAYIL,
PUTHUVELI KARA,
VELIYANNOOR VILLAGE, KOTTAYAM.

BY ADV. SMT.AYSHA YOUSEFF
SMT.MOLLY JACOB
SMT.RABIA BEEGAM T.K.

RESPONDENTS:

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1. VELIYANNOOR GRAMA PANCHAYAT,
REP.BY ITS SECRETARY, VELIYANNOOR,
KOTTAYAM.

2. V.C.GEORGE,
VICE-PRESIDENT,
VELIYANNOOR GRAMA PANCHAYAT.

3. MANUEL GEORGE,
S/O.GEORGE
PALIATHIL HOUSE, MARIKA, ARAKUZHA VILLAGE,
MUVATTUPUZHA.

4. THE EXECUTIVE ENGINEER,
P.H.DIVISION,
KERALA WATER AUTHORITY,KOTTAYAM.

BY ADV. SRI.B.KRISHNA MANI
SRI.JOSEPH T.JOHN
SRI.SIJU RAJAN
SRI.V.C.GEORGE (PARTY-IN-PERSON)
SRI. S. MOHAMMED AL RAFI – FOR R1.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 17/04/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S. SIRI JAGAN, J.

W.P.(C)NO.12855 OF 2007

DATED THIS THE 17th DAY OF APRIL, 2007

JUDGMENT

This dispute relates to construction of a pond/well by the 1st respondent – Panchayat. The petitioner complains that the Panchayat is constructing the well encroaching into the petitioner's property. The petitioner has filed Ext.P6 representation before the Panchayat. He inter alia seeks disposal of Ext.P6. In the facts and circumstances of the case the 1st respondent is directed to consider Ext.P6 and pass appropriate orders thereon after affording an opportunity of being heard to the petitioner within one month from the date of receipt of a copy of this judgment. Parties shall maintain status quo as on today regarding the construction of the well till final orders are passed on Ext.P6.

2. The learned counsel for the 3rd respondent points out that Ext.P5 is not the full text of the order dated 28.3.07. I make it clear that the status quo ordered as above would be as appearing in the full text of Ext.P5 order dated 28.3.07.

The writ petition is disposed of as above.

S. SIRI JAGAN, JUDGE

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